

// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of June, 2005, at 5:00 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Council Member Dodson gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Absent: 0

// Copies of the minutes of the June 6, 8 and 14, 2005 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport - General, Resolution ##R-05-069 amending the FY 2005 Airport Projects Grant Fund budget and appropriating \$7,000, with \$5,600 reimbursement, for the purchase of three (3) Automated External Defibrillators for the Airport, laid over from the June 14, 2005 meeting, was again presented and read, and on motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport - General, Resolution #R-05-070 amending the FY 2005 Airport Projects Grant Fund budget and appropriating \$130,000, with \$104,000 reimbursement, for rehabilitation of the aircraft ramp for Hangar #8 and repairs to the public roadway between Hangars 5 & 6 at the Airport, laid over from the June 14, 2005 meeting, was again presented and read, and on motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Human Services - General, Resolution #R-05-078 amending the FY 2005 City/Federal/State Aid Fund budget and appropriating \$148,522, with \$118,818 reimbursement, to fund the Program Improvement Plan required by the State to address child welfare outcomes pertaining to children's safety, permanency, and well-being, laid over from the June 14, 2005 meeting, was again presented and read, and on motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works - Utilities, City Council Report #5 was considered. On motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-05-081, as presented, authorizing the City Manager to extend the current water contracts

with Amherst County Service Authority, Bedford County Public Service Authority, and Campbell County Utilities and Service Authority for a period of one year:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

0

// In the matter of Schools - General, a public hearing was held to receive input from citizens regarding the appointment to a vacancy that will exist June 30 in District III on the Lynchburg School Board. At the request of Mayor Hutcherson, the Clerk read into the record the names of all individuals who have applied for a District III position on the School Board: Kathy Banks, Theodore B. Hannon, Eugene A. Tweedy, Jr., and Glyn K. Wooldridge. Three individuals spoke in support of Eugene Tweedy, Jr. Mr. Tweedy also spoke regarding his desire to serve on the School Board. There was no one else present who wished to speak to this item. Mayor Hutcherson outlined two options, i.e., City Council could close the public hearing tonight and appoint the District III representative in July, or continue the public hearing to July and appoint the District III representative in August. Several Council Members expressed an interest in making the appointment as soon as possible since the deadline for making this appointment is June 30. On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote closed the public hearing:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

0

// In the matter of Library - General, City Council Report #7 was considered. On motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote adopted Ordinance #0-05-082, as presented, repealing Section 24-12 of the City Code regarding the creation of the Library Advisory Committee:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

0

// In the matter of Public Works - General, City Council Report #8 regarding a proposal to reduce the Common Goods Fee was considered. City Manager Kimball Payne provided a brief overview, stating that when the flat fee was originally considered it was estimated that an amount of \$4.22 per month per household would be needed to cover the projected costs. Mr. Payne also noted that the costs for these services are projected to increase approximately 2.0% for FY2006 and that a flat fee necessary to cover services would be \$4.39. Mr. Payne went on to say that although staff is recommending that the Common Goods Fee remain at the current level of \$5.00 per month per household, if the fee were reduced, that staff is recommending an implementation date of January 1, 2006, in order to alleviate the high expense of processing refund checks. Mr. Payne also explained that a reduction in the flat fee to \$4.39 would save each household \$7.32 per year and would reduce revenues to the Solid Waste Management Fund by \$141,400, and that an alternative would be to reduce the General Fund support for refuse collection by that amount, in essence providing additional resources for General Fund activities. Some Council Members commented that since this is a fee designed to cover the costs of a service, that the City should

only be charging a fee necessary to cover the costs of providing the service. On motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote agreed to reduce the Common Goods Fee to \$4.40 effective January 1, 2006:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// On motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, to discuss the annual performance of the City Manager, City Attorney and Clerk of Council, for discussion concerning the location of a prospective business in the City where no previous announcement has been made of the business' interest in locating in the City, and for consultation with legal counsel regarding potential litigation because consultation in an open meeting would adversely affect the negotiating or litigating posture of the City pursuant to Section 2.2-3711(A)(1) (5) and (7), respectively, of the Code of Virginia, 1950, as amended:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// Council Member Seiffert left the closed meeting at 6:48 p.m.

// The meeting was re-opened to the public.

// Council Member Gillette made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Helgeson, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

// In the matter of Appointments, and on nomination of Council Member Johnson, Council by the following recorded vote re-appointed Ellis M. Frankfort and Sterling A. Wilder to serve on the School Board for terms to expire June 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

On nomination of Council Member Johnson, Council by the following recorded vote re-appointed Jewell

E. Stooker to serve on the Museum Advisory Board for a term to expire June 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

On nomination of Council Member Johnson, Council by the following recorded vote appointed Greg

Daniels to fill an unexpired term on the Transit Company Board ending October 31, 2006:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

On nomination of Council Member Johnson, Council by the following recorded vote re-appointed M.

David Francis to serve on the Tourism Advisory Committee for a term to expire June 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

On nomination of Council Member Johnson, Council by the following recorded vote appointed Gloria M.

Cardwell to serve on the Tourism Advisory Committee for a term to expire June 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

// The meeting was recessed at 8:06 P.M. to June 30, at 12:30 P.M., to conduct interviews of candidates interested in serving on the Lynchburg School Board.

Clerk of Council